

Kaupapa Here Tāke Utu Whakahokia

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# Rates Remission Policy

Person Responsible: Head of Business Enablement  
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Revision Number: 4

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### **Purpose of Policy**

The purpose of this policy is to explain how the Council will grant remission of rates and penalties on qualifying properties.

### **Scope**

This policy applies to properties with special characteristics, such as community uses, conservation land and properties that are physically separated but managed as one unit.

### **Legislation**

Section 102 (3)(a) of the Local Government Act 2002 (LGA 2002) states that the Council may adopt a Rates Remission Policy.

Section 109 of the LGA 2002 states what the Policy must contain.

Section 85 of the Local Government (Rating) Act 2002 (LGA (R)A 2002) allows the Council to remit all or part of the rates on a rating unit if it has adopted a remission policy and is satisfied that the conditions and criteria in the policy are met.

This policy is required by section 102(3A)(b) of the LGA 2002 to support the principles in the preamble to Te Ture Whenua Māori Act 1993. The principles are:

- The spirit of the exchange of kawanatanga for the protection of rangatiratanga embodied in the Treaty of Waitangi be reaffirmed;
- Recognise that land is a taonga tuku iho of special significance to Māori people and, for that reason, to promote the retention of that land in the hands of its owners, their whānau, and hapū, and to protect wahi tapu;
- Facilitate the occupation, development, and utilisation of that land for the benefit of its owners, their whānau, and hapū.

Section 109 (2A)(a) of the LGA 2002 requires that this Policy must be reviewed every six years.

## **Remissions Policy**

The Council has decided to remit all or part of the rates of rating units covered by the Rates Remission Policy provided that the relevant conditions of this policy are met. Rates remissions will be provided for the following categories of rating units or under the following circumstances:

- Community halls.
- Community care organisations, sporting, branches of the arts, or volunteer organisations.
- Land protected for natural, historical or cultural conservation purposes.
- Penalties.
- Uniform Annual General Charges (UAGC's) on non-contiguous units owned by the same owner.

- UAGC's on contiguous rating units in a subdivision owned by the same ratepayer.
- Water rates.
- Total rates assessments under \$10.

The following percentages will apply:

- 100% of the total rates levied in respect of public halls.
- 50% of targeted rates only, levied in respect of properties used for games or sports except galloping races, harness races, or greyhound races that do not hold club licences under the Sale and Supply of Alcohol Act 2012.
- 50% of total rates levied in respect of properties used for games or sports except galloping races, harness races, or greyhound races that hold club licences under the Sale of Liquor Act 1989.
- 50% of targeted rates only, levied in respect of properties used by any branch of the arts.
- 50% of total rates levied in respect of properties qualifying under the categories of community care type or volunteer organisations.
- 100% of general rates and UAGC levied in respect of properties qualifying under the category of natural, historical or cultural conservation properties.
- 50% of the charged cost for the estimated volume of water lost through leakage once conditions have been met.
- 100% of the total rates charged under \$10.

### Remissions for community halls, community care organisations, sporting, branches of the arts or volunteer organisations

#### Objective

The remission of rates for community, sporting and other organisations is to facilitate the ongoing provision of non-commercial community services and non-commercial recreational opportunities for the residents of South Taranaki.

The purpose of granting rates remissions to an organisation is to:

- Recognise the public good contribution made by such organisations.
- Assist the organisation's survival.
- Make membership of the organisation more accessible to the general public, particularly disadvantaged groups. These include children, youth, young families, aged people, and economically disadvantaged people.

### Conditions and criteria

The remission of rates will apply to land used exclusively or principally for sporting, recreation, or community purposes. This does not apply to:

- organisations operated for pecuniary profit; or
- groups or organisations whose primary purpose is to address the needs of adult members (over 18 years) for entertainment or social interaction; or
- groups or organisations that engage in recreational, sporting, or community services as a secondary purpose only.

Organisations making application should include the following documents in support of their application:

- Statement of objectives.
- Financial assets.
- Information on activities and programmes.
- Details of membership or clients.

## Remission of rates on land protected for natural, historical or cultural conservation purposes

### Objective

Rates remission is provided to preserve and promote natural resources and heritage by encouraging the protection of land for natural, historic or cultural purposes.

### Conditions and criteria

Ratepayers who own rating units that have some features of cultural, natural or historic heritage and are voluntarily protected, may qualify for remission of rates under this Policy. Land that is non-rateable under Section 8 of the LG(R)A 2002 and is liable only for rates for water supply, wastewater disposal and waste collection will not qualify for remission under this part of the policy. Applications should be supported by documented evidence of the protected status of the rating unit, for example, a copy of the covenant or other legal mechanism.

In considering any application for remission of rates under this part of the policy, the Council will consider:

- The extent to which the preservation of natural, cultural or historical heritage will be promoted by granting a remission of rates on the rating unit; and
- The degree to which features of natural, cultural or historical heritage:
  - Are present on the land.
  - Inhibit the economic utilisation of the land.
  - Will be promoted by granting remission of rates on the rating unit.

### Remission of penalties

The Council will provide rate remissions of penalties to ratepayers who meet the objectives, conditions and criteria of this part of the policy.

#### Objective

The remission of penalties is to allow the Council to act fairly and reasonably in its consideration of rates that have not been received by the Council by the penalty date due to circumstances outside the ratepayer's control.

#### Conditions and criteria

Remission of the penalty will be granted if the ratepayer, by written explanation, satisfies the Council that the late payment was due to circumstances outside their control. Each application will be considered on its merit and will be granted where it is considered fair and equitable to do so.

In cases where ratepayers are in arrears with their rates but have made acceptable arrangements for the payment of the current year's rates, together with a reduction in the level of arrears, further penalties being incurred will be remitted under this part of the policy.

### Remission of uniform annual general charges on non-contiguous rating units owned by the same ratepayer

The Council will provide rates remissions of UAGC's to rural ratepayers who meet the objectives, conditions and criteria of this part of the policy.

#### Objective

The remission of UAGC's is to provide relief for rural land that is non-contiguous, but farmed as a single entity and owned by the same ratepayer.

#### Conditions and criteria

Ratepayers who occupy two or more separate rating units (and who do not qualify to be treated as one rating unit, pursuant to Section 20 of the LG(R)A 2002), are entitled to have UAGC's reduced for qualifying properties. These ratepayers will pay at least one full UAGC and half charges for additional qualifying properties.

#### Remission

Any applicant must be paying at least one full UAGC on one of the rating units involved in the farming operation.

### Remission of UAGC's on contiguous rating units in a subdivision owned by the same ratepayer

The Council will provide rates remission of UAGC's to ratepayers who meet the objectives, conditions and criteria of this policy.

The remission of all but one UAGC is to provide relief for urban or rural residential land which is newly developed and still owned by the developer/ratepayer.

#### Conditions and criteria

Ratepayers who own two or more separate rating units (and who do not qualify to be treated as one rating unit pursuant to Section 20 of the LG(R)A 2002), who apply in writing, are entitled to have UAGC's reduced for qualifying properties.

#### Remission

The applicant/owner must be paying a full UAGC for at least one of the rating units in the subdivision. The remainder of the UAGC's will be remitted under this part of the policy.

### Remission of water rates

The remission of water rates is to provide for the effective and fair management of leaks on private properties by incentivising customers to promptly repair private water leaks.

#### Conditions and criteria

This remission addresses issues experienced with customer's payments for loss of water from metered water connections. The remission provides a financial incentive that will remit 50% of the charged cost for the estimated volume of water lost through leakage, once the following conditions and requirements are met:

- Customers with a current account may apply in writing to the Council, within two months of the account being issued; and
- Provide proof of repairs to internal reticulation undertaken by a registered plumber.

Any remission under this policy will be limited to one application within any 24 month period for a particular customer, per meter.

#### Remission

The remission is for 50% of the charged cost for the estimated volume of water lost through leakage.

### Remission of Total Rates Assessments under \$10

#### Objective

The remission of total rates assessments under \$10 is to save the Council the unnecessary costs of collecting a small amount of rates.

#### Conditions and criteria

The total of the rates assessment must be \$10 or less.

#### Remission

The remission of 100% of the total rates charged under \$10.

### Remission of rates for miscellaneous circumstances

#### Objective

It is recognised that not all situations in which the Council may wish to remit rates will necessarily be known about in advance and provided for in the Council's specific policies.

#### Conditions and criteria

The Council may remit (reduce) rates on a rating unit where it is considered equitable to do so because:

- Special circumstances in relation to the rating unit, or the incidence of the rates (or a particular rate) assessed for the rating unit mean that the unit's rates are disproportionate to those assessed for comparable rating units, or
- The circumstances of the rating unit or the ratepayer are comparable to those where a remission may be granted under the Council's other rates remission policies, but are not actually covered by any of those policies, or
- There are exceptional circumstances that mean the Council believes it is in the public interest to remit the rates and where granting a remission would not create or set a precedent for other ratepayers to receive similar remissions.

#### Remission

The Council may remit part or all rates on a rating unit that meets the objectives, conditions and criteria of this part of the policy.

### History of Policy

Action	Description	Decision Date	Decision Number	Commencement
Review	Review of Policy	2018		1/07/2018
Review	Review of Policy	2021		1/07/2021
Review	Review of Policy	24/06/2024	104/24	14/05/2024